

Introduced by Senator Hernandez

February 21, 2013

An act to amend Section 3167 of the Business and Professions Code, relating to optometry.

LEGISLATIVE COUNSEL'S DIGEST

SB 492, as introduced, Hernandez. Optometric corporations.

The Optometry Practice Act creates the State Board of Optometry, which licenses optometrists and regulates their practice. The act requires an optometric corporation, as defined, in conducting its practice, to observe and be bound by statutes, rules, and regulations to the same extent as a person holding a license to practice optometry. The act authorizes the board to formulate and enforce rules and regulations to carry out the purposes and objectives of the statutes governing optometric corporations, as specified.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3167 of the Business and Professions
2 Code is amended to read:
3 3167. The board may formulate and enforce rules and
4 regulations to carry out the purposes and objectives of this article,
5 including rules and regulations requiring ~~(a) that the~~ *both of the*
6 *following:*

1 (a) *The* articles of incorporation or bylaws of an optometric
2 corporation shall ~~include a provision whereby the~~ *provide for the*
3 *sale of any* capital stock of ~~such the~~ corporation owned by a
4 disqualified person ~~(as, as~~ defined in the Moscone-Knox
5 Professional Corporation Act) *Act*, or a deceased person shall be
6 ~~sold to the corporation or to the remaining shareholders of such~~
7 *the* corporation within ~~such the~~ time as ~~such the~~ rules and
8 regulations may provide; ~~and (b) that an.~~

9 (b) *An* optometric corporation, as a condition of obtaining a
10 certificate pursuant to the Moscone-Knox Professional Corporation
11 Act and this article, shall provide adequate security by insurance
12 or otherwise for ~~claims any claim~~ against it by ~~its patients~~ *a patient*
13 arising out of the rendering of professional services.